

AMENDMENT TO H.R. 4937
OFFERED BY MR. BABIN OF TEXAS

In section 16 of the bill, in the matter proposed to be inserted as section 60117(o) of title 49, United States Code—

(1) in paragraph (1) strike “a violation of a provision of this chapter, or a regulation issued pursuant to this chapter, or”;

(2) in paragraph (2) insert “owners and operators of pipeline facilities,” after “State agencies,”;

(3) in paragraph (3)(E) insert “, and the specific evidence supporting those determinations” before the semicolon;

(4) in paragraph (3)(F) insert “, including the specific evidence considered pursuant to such paragraph” before the period at the end;

(5) in paragraph (5)—

(A) insert “the Secretary shall be prohibited from conducting any further review and” after “petition is filed,”; and

(B) strike the period at the end and insert “and the emergency order shall remain in effect. Such a determination may not authorize

the Secretary to issue an agency decision under paragraph (4) after the expiration of the 30-day review period, or to modify the emergency order issued under paragraph (1), which shall be considered a final agency action for purposes of the judicial review provision in paragraph (6).”; and

(6) in paragraph (6) add at the end the following: “In any case in which the Secretary issues a written determination under paragraph (5), judicial review shall be limited to the record before the agency on or before the date on which the Secretary issued the emergency order pursuant to paragraph (1) and the contents of the written order issued pursuant to paragraph (3).”.

